

IN THE COURT OF COMMON PLEAS, FRANKLIN COUNTY, OHIO
CIVIL DIVISION

80963H14

OHIO BOARD OF REGENTS,

Plaintiff,

v.

SELINA MILLER,

Defendant.

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Case No. 00CVH09-8214

MARCIA J. MENGEL, CLERK Judge Johnson
SUPREME COURT OF OHIO

ON COMP. 9

ENTRY SUA SPONTE VACATING APRIL 9, 2001 FINAL JOURNAL ENTRY, AND
ISSUING MODIFIED FINAL JOURNAL ENTRY
GRANTING PLAINTIFF'S MOTION TO STAY DISCOVERY PENDING A
RULING ON PLAINTIFF'S SUMMARY JUDGMENT MOTION
FILED JANUARY 25, 2001;
AND
GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT,
FILED JANUARY 25, 2001;
AND
GRANTING PLAINTIFF'S MOTION TO DISMISS COUNTERCLAIM,
FILED JANUARY 25, 2001;
AND
DENY DEFENDANT'S MOTION FOR DEFAULT JUDGMENT,
FILED FEBRUARY 8, 2001;
AND
DENYING PLAINTIFF'S "MOTION TO DISMISS DEFENDANT'S
MOTION FOR DEFAULT JUDGMENT,"
FEBRUARY 21, 2001;
AND
DENYING PLAINTIFF'S MOTION FOR SANCTIONS,
FILED JANUARY 25, 2001

Rendered this 17th day of May, 2001.

Johnson, D., J.

A "Final Journal Entry" journalizing the March 7, 2001 decision was filed April 9, 2001. However, it was not the Court's intent to preempt actions already pending in other courts where other judges have jurisdiction—including Miller v. Johnson &

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Angelo, Franklin County Common Pleas Court Case No. 80CVH87-6746
80983819
and Miller's pending action in the Court of Claims.

Furthermore, a hearing on plaintiff's motion for sanctions was held May 4, 2001. In light of the restrictions attached to a vexatious-litigator finding and in the expectation that defendant will conform to those restrictions, the Court declines to award sanctions.

As such, the April 9, 2001 entry is sua sponte vacated, and the following, modified entry supersedes that entry:

Modified Entry:

Plaintiff's motion for summary judgment, motion for sanctions, motion to dismiss Defendant's counterclaim, and Motion to stay discovery having come on to be heard before this Court on January 25, 2001; and Defendant's motion for default judgment having come on to be heard before this Court on February 8, 2001; and for the reasons set forth in the Court's March 6, 2001 Decision (which is hereby incorporated by reference), it is hereby ordered that:

- (1) Plaintiff's January 25, 2001 motion to stay discovery pending a ruling on Plaintiff's summary judgment motion is granted;
- (2) Plaintiff's January 25, 2001 motion for summary judgment on its complaint seeking to declare Defendant Selina Miller a vexatious litigator is granted;
- (3) Plaintiff's January 25, 2001 motion to dismiss Defendant's counterclaim is granted;

- (4) Plaintiff's February 21, 2001 motion to dismiss Defendant's counterclaim is denied on the ground that it is properly captioned as a "memoranda contra";
- (5) Defendant's February 8, 2001 motion for default judgment on her counterclaim is denied; and
- (6) Defendant is prohibited from doing the following without first obtaining leave of this Court to proceed:

Instituting legal proceedings in the Court of claims, or in the Court of Common Pleas, Municipal Court, or County Court.
- (7) The Plaintiff's motion for sanctions, which came on for hearing May 4, 2001, is DENIED.

DAVID L. JOHNSON, JUDGE

Copies to:

Jan Alan Neiger
Assistant Attorney General
Counsel for Plaintiff

Selina Miller
Defendant Pro Se

THE STATE OF OHIO
Franklin County, ss

I, JOHN O'GRADY, Clerk
OF THE COURT OF COMMON
PLEAS, WITHIN AND FOR
SAID COUNTY.

HEREBY CERTIFY THAT THE ABOVE AND FORE-
GOING IS TRULY TAKEN AND COPIED FROM THE
ORIGINAL entry
NOW ON FILE IN MY OFFICE
TO WIT: MY HAND AND SEAL OF SAID COUNTY
THIS 24 DAY OF July A.D. 2002
JOHN O'GRADY, Clerk
By J. F. Inabatt Deputy